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BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of Revision)
of the Commission's Rules)
To Ensure Compatibility)
With Enhanced 911 Emergency)
Calling Systems)

CC Docket No. 94-102

COMMENTS OF THE
CELLULAR TELECOMMUNICATIONS INDUSTRY ASSOCIATION

The Cellular Telecommunications Industry Association ("CTIA")¹ respectfully submits these comments in the above mentioned proceeding.² As the Commission noted in its Public Notice, two wireless industry groups and three public safety community groups recently submitted a Joint Letter proposing certain changes to the Commission's rules regarding Enhanced 911 ("E911").³ This letter represented a

¹ CTIA is the international organization of the wireless communications industry for both wireless carriers and manufacturers. Membership in the association covers all Commercial Mobile Radio Service ("CMRS") providers, and includes forty-eight of the fifty largest cellular and broadband PCS providers. CTIA represents more broadband PCS carriers and more cellular carriers than any other trade association.

² See "Additional Comment Sought in Wireless Enhanced 911 Reconsideration Proceeding Regarding Rules and Schedule," Public Notice, CC Docket No. 94-102 (released Oct. 17, 1997) ("Public Notice").

³ See Letter from CTIA, Personal Communications Industry Association ("PCIA"), the Association of Public-Safety Communications Officials-International, Inc. ("APCO"), the National Emergency Number Association ("NENA"), and the National Association of State Nine-One-One Administrators ("NASNA"), to Chairman Reed E. Hundt, Sept. 25, 1997 ("Joint Letter").

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coordinated effort among the industry and public safety organizations to reach agreement regarding some of the E911 issues pending before the Commission. CTIA continues to believe that the Joint Letter accurately reflects a common agreement among the signature parties which will allow the Commission to move forward without unnecessary delay.

In response to the Joint Letter, Congresswoman Anna Eshoo reiterated her view that "it is in the public's best interest that all wireless 911 calls should be passed through to the public safety authority."⁴ Additionally, the Ad Hoc Alliance for Public Access to 911 ("Alliance") filed an *ex parte* letter opposing the Joint Letter.⁵ The concerns raised by these parties have been addressed in the proposals submitted in the Joint Letter.

Both Congresswoman Eshoo and the Alliance express concern that the proposed rule amendments are intended to "block calls to 9-1-1 from all callers except paid-up subscribers to that carrier or to a carrier with a roaming agreement."⁶ In fact, however, the proposed amendments set forth in the Joint Letter will not block calls from all callers. Rather, the Joint Letter proposes to replace the Commission's meaningless distinction between "code

⁴ Letter from Congresswoman Anna G. Eshoo, to Chairman Reed Hundt (Sept. 29, 1997) ("Eshoo Letter").

⁵ Letter from Jonathan D. Linkous, to Chairman Reed Hundt (Sept. 30, 1997).

⁶ Ad Hoc Letter at 1; Eshoo Letter at 1.

identified calls" and "non-code identified calls," with definitions that distinguish "successfully validated calls" from "all wireless 911 calls." Carriers and public safety organizations are not suggesting that only validated 911 calls be completed, to the exclusion of calls from non-initialized phones or calls from subscribers without valid roaming agreements. Rather, the proposed amendments attempt to capture more accurately the types of calls that the 911 authorities may choose from -- i.e., all wireless 911 calls and successfully validated 911 calls.⁷ Wireless carriers are prepared to deliver all wireless 911 calls to a requesting PSAP as long as the Commission recognizes that only calls that have been successfully validated will be capable of having the enhanced features (i.e., call-back and location) that formed the original predicate to this proceeding.

The Joint Letter also asks the Commission to recognize that Public Safety authorities may not be able to choose on an individual, PSAP by PSAP basis the types of calls they will receive (i.e., all wireless calls or only successfully validated calls) until Phase II location technology is in place. The Alliance mischaracterizes this request to suggest that the Letter "proposes that the Commission delay

⁷ According to the joint proposal, the term "successfully validated calls" is defined as 911 calls that pass a wireless switch's service validation process. The term "all 911 wireless calls" is defined as any call initiated by a wireless user dialing 911 on a phone using a compliant radiofrequency protocol. See Joint Letter at 2.

the processing of non-code identification calls 'until Phase II location technology is in place.'"⁸ Rather, the Joint Letter proposes that the Commission delay the option of choice between the types of calls that may be delivered to Public Safety authorities on an individual basis.

According to the proposal, Public Safety organizations within a particular area served by a carrier's switch may agree to receive all wireless 911 calls, or the group may agree to receive only successfully validated 911 calls. The proposal only precludes individual Public Safety organizations served by a single CMRS switch from making different choices in the types of calls they will receive. The Public Safety community operates pursuant to strict jurisdictional limits. The Joint Letter recognizes technological limitations prior to Phase II deployment and reflects the parties' agreement to coordinate within each area served by a carrier's switch PSAP decisions whether to receive all calls or only successfully validated calls. As such, the Alliance's concerns are unfounded.

Both the Alliance and Congresswoman Eshoo oppose the Joint Letter's proposal to eliminate reference to the term "code identification."⁹ Contrary to the assertions of the Alliance, identifying the "unique" identifier of a mobile caller with the Mobile Identification Number ("MIN") or its

⁸ Alliance Letter at 2.

⁹ Alliance Letter at 1; Eshoo Letter at 1.

functional equivalent is unworkable. The Alliance's proposal will soon become universally obsolete and, in some instances, already is inapplicable.

First, the Alliance disputes that GSM technology demonstrates how the definition of "code identification" is inapplicable for some technologies. Hence, the Alliance states that "there is no dispute that a caller using a GSM handset can be called back even if service has never been initialized."¹⁰ No technology, including GSM, can provide call-back if the service has not been initialized. As discussed in prior filings, a dialable number must be programmed into the handset in order to allow call back.¹¹ The Alliance seemingly has confused the role of a temporary mobile directory number ("MDN") -- used within a carrier's network only when a customer is roaming -- with the need for an addressable number programmed into a handset. Without an addressable number, no handset can be called back, even if a temporary MDN is assigned.¹²

¹⁰ Alliance Letter at 1.

¹¹ See Revision of the Commission's Rule to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Comments of CTIA at 3-4 (filed July 28, 1997).

¹² A temporary MDN is used when a customer is roaming in another market. A temporary number must be assigned to the customer so that the call can be completed through the local exchange carrier for the visited market. This temporary number still must be mapped back to a unique subscriber code in order to allow call back. See CTIA Comments at 6-7 (July 28, 1997).

The Alliance also misunderstood the Joint Letter's reference to number portability implementation. The signature parties merely restated what has been highlighted in previous filings -- once number portability is implemented, a MIN will not serve as a unique identifier and, thus, will not ensure call back capability.¹³ That is not to say that call back will not be possible in a number portability environment.¹⁴ Rather, call back will be possible only upon successful validation -- i.e., a database query must be conducted to retrieve a dialable number.

The carriers and the Public Safety organizations have agreed that all interested parties must have the opportunity to study and better understand many of the technical issues surrounding some of the requirements imposed by the Commission. The signatories to the Joint Letter have scheduled a meeting to discuss technical issues with the Alliance on November 6 and 7. These meetings are intended to provide an open forum where the wireless industry, the Public Safety community and the consumer advocates can discuss the impediments to immediate implementation of the Commission's rules and possible solutions to overcoming

¹³ CTIA notes that, contrary to the Alliance's representations that "[t]here has been no change in fact or circumstance which would warrant a change in the Commission's decision," the Commission's application of number portability obligations to CMRS carriers, and the implications thereof, were not known to the parties to the original Consensus Agreement in February 1996.

¹⁴ Id. at 5. See Alliance Letter at 2.

those impediments. In light of these pending discussions, the Commission should refrain from making any decisions regarding certain call back capabilities, strongest signal technology, the use of temporary call back numbers, and the status of uninitialized phones so that these matters can be more fully developed on the record.

CONCLUSION

In light of the technical difficulties associated with complying with the Commission's rules as currently stated, the Commission should modify certain terms to accurately characterize current and future technological capabilities. The Commission also should note that the concerns raised by parties opposing the Joint Letter have been addressed.

Respectfully submitted,



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